
PROPOSED AMENDMENT

Pursuant to Section 1-8 of the Tiverton Code of Ordinances, section 22-6 is amended as noted herein along with the addition of a new section 22-10 and a re-numbering of section 22-11 to reflect the addition of a new section 22-10.

ARTICLE II. FARMER'S MARKET

Sec. 22-5. Intent.

It is the intent of the town council to permit the operation of farmer's markets in the Town of Tiverton for the benefit of local farmers.

(Ord. of 9-12-11(1), § 6)

Sec. 22-6. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section:

Farmer's market is a specified land area managed by a single operator (known as the market manager) who rents or provides space/stalls to producers for the sale of products as specified below:

- (1) *Market manager* is the individual designated with full responsibility and authority to enforce all rules of the market.
- (2) *Producer* is a grower or producer or any person who is offering for sale articles for human consumption, such as fruits, vegetables, meats and fish, edible grains, nuts and berries, and apiary products, which have been grown or prepared by a grower or producer, and homemade baked goods, jams, jellies, fruit and herbal vinegars, and sauces, and/or non-edible items, such as herbal wreaths, potpourri, cut flowers, beeswax candles and scented oils. Sale of any type of meat, fish, or poultry, beverages or any article prohibited by the state health department shall also be prohibited by any person defined by this subsection.
- (3) *Music Entertainment is non-amplified voice and/or acoustic instrumental(s) provided for the listening enjoyment of vendors and customers.*

(Ord. of 9-12-11(1), § 6)

Sec. 22-7. License required.

No person or organization is permitted to conduct or operate a farmer's market without first obtaining a license to operate from the town council.

(Ord. of 9-12-11(1), § 6)

Sec. 22-8. Conditions.

- (a) Farmer's markets shall be permitted in accordance with the provisions of the zoning ordinance, except when the farmer's market is located at a municipal or school department facility or property with the permission of the town council or school committee, or on property owned or managed by the Tiverton Land Trust with their permission.

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- (b) If a farmer's market license is granted, the license granted hereunder shall be only during daylight hours between May 1 and November 1 unless specifically permitted otherwise by the town council.
 - (c) The license holder/market manager shall provide to the town clerk the names of producers and the location of land or facility used for production prior to the opening date of the farmer's market. The license holder/market manager shall update this list on a regular basis as any of the information required in this subsection changes.
 - (d) The town council may place conditions on the issuance of a farmer's market license, as required for the public's convenience, welfare, health and safety.

(Ord. of 9-12-11(1), § 6; Ord. of 9-12-22(1))

Sec. 22-9. Application for permit.

Applications for licenses issued under this article shall be made upon forms prepared and made available by the town clerk and shall state:

- (1) The full name of the applicant;
- (2) A specific description of the location of the market;
- (3) The open and closing dates of the market and the hours of operation;
- (4) Names of producers and the location of land used for production;
- (5) Designation of a market manager;
- (6) A copy of the market rules.

(Ord. of 9-12-11(1), § 6)

Sec. 22-10. Music Entertainment

Music Entertainment shall be allowed at permitted Farmer's Markets held at town owned properties without the need to obtain a public entertainment license pursuant to Section 51-21 of the Code of Ordinances.

Sec. 22-~~10~~11. Fee required.

A fee for a license under this article may be set by town council resolution.

(Ord. of 9-12-11(1), § 6)

Effective Date: The amendments to this Ordinance shall become effective upon passage consistent with the provision of Section 408 of the Tiverton Home Rule Charter.